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5 Attorneys for Nugget Construction Co., Inc.,
6 and USF&G, Defendants

7 IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE

8 UNITED STATES OF AMERICA for the)
use of NORTH STAR TERMINAL &)
9 STEVEDORE COMPANY, d/b/a NORTHERN)
STEVEDORING & HANDLING, and NORTH)
10 STAR TERMINAL & STEVEDORE COMPANY,)
d/b/a Northern Stevedoring &)
11 Handling, on its own behalf,)

No. A98-009 CIV (HRH)

12 Plaintiffs,)

13 and)

14 UNITED STATES OF AMERICA for the)
use of SHORESIDE PETROLEUM, INC.,)
15 d/b/a Marathon Fuel Service, and)
SHORESIDE PETROLEUM, INC., d/b/a)
16 Marathon Fuel Service, on its own)
behalf,)

17 Intervening Plaintiffs,)

18 and)

19 METCO, INC.,)

20 Intervening Plaintiff,)

21 vs.)

22 NUGGET CONSTRUCTION, INC.; SPENCER)
ROCK PRODUCTS, INC.; UNITED)
23 STATES FIDELITY AND GUARANTY)
COMPANY; and ROBERT A. LAPORE,)

24 Defendants.)
25

NUGGET CONSTRUCTION,
INC.'S AND UNITED STATES
FIDELITY & GUARANTY
CO., INC.'S MOTION FOR
SUMMARY JUDGMENT AGAINST
NORTH STAR TERMINAL &
STEVEDORE CO.

1 Defendants Nugget Construction, Inc., and United States
2 Fidelity & Guaranty, by and through their attorneys, Oles
3 Morrison Rinker & Baker LLP, hereby move for summary judgment
4 against plaintiff North Star Terminal & Stevedore Co. on its
5 claims for breach of an express or implied-in-fact contract,
6 promissory estoppel, quasi-contract, detrimental reliance,
7 misrepresentation and nondisclosure, negligence, unjust enrichment and
8 restitution, quantum meruit, equitable subordination, constructive
9 trust, agency and punitive damages under Alaska state law. This
10 motion is supported by points and authorities in the attached
11 memorandum and the exhibits attached thereto.
12

13 Dated: April 28, 2006

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Inc., and United States
Fidelity and Guaranty Co.

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1 CERTIFICATE OF SERVICE

2 I hereby certify that on this 28th
3 day of April, 2006, a true and
4 correct
5 copy of the foregoing was served

6 electronically, via ECF on:

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U.S. ex rel. North Star, et al. v. Nugget Construction, et al.
Case No. A98-009 CIV (HRH)
Nugget Construction, Inc.'s Motion for Summary Judgment Against North Star
Terminal & Stevedore Co. -- Page 3 of 3